

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:

Case No. 1:14-cv-13507-RWZ

MDL No. 1:13-md-2419-RWZ

AGREEMENT REGARDING DISTRIBUTION OF SETTLEMENT PROCEEDS

This Agreement Regarding Distribution of Settlement Proceeds (“Agreement”) is made and entered into this 7th day of July, 2017, by and between Walter Parsons, Debra P. Buchanan and Peggie Sue Parsons-Powell.

1. We, Walter Parsons, Debra P. Buchanan and Peggie Sue Parsons-Powell, are the only statutory beneficiaries of the wrongful death estate (the “Estate”) of Jean Hazel Dorothy Parsons, deceased, pursuant to Va. Code § 8.01-53 (the “Statutory Beneficiaries”). We are the spouse and only children of Jean Hazel Dorothy Parsons, deceased and we are each over the age of 18 years.

The Insight Imaging Virginia Litigation

2. We are aware of the facts and circumstances of the lawsuit pending in the United States District Court for the District of Massachusetts styled Debra P. Buchanan, Executor of the Estate of Jean Hazel Dorothy Parsons, deceased v. Insight Health Corp., Image Guided Pain Management, P.C., John M. Mathis, M.D., and Robert F. O’Brien, M.D., Case No. 1:14-cv-13507-RWZ. Debra P. Buchanan, Executor of the Estate of Jean Hazel Dorothy Parsons, deceased, executed a settlement agreement on behalf of the Estate in 2015 resolving those claims

(the “Settlement Agreement”) on behalf of the Estate. We are aware that the Settlement Agreement has been approved and confirmed as part of the Third Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc. (the “Plan”) as well as by order of the U.S. District Court for the District of Massachusetts.

3. We are aware that the gross amount of approximately \$235,811.19 has been awarded to the Estate under the First Amended Insight Claims Resolution Facility Procedures (“ICRF”). Additional de minimis distributions may be approved in the future, and this agreement and the allocations reflected herein will apply to such future payments as well.

4. We are aware that attorney fees are 40% of the gross award and total \$94,324.48 on the Current Gross Award, that the expenses associated with litigation of this case are approximately \$8,674.48, and that there are outstanding liens in the total amount of \$21,409.09 remaining to be paid, resulting in a current net award of \$111,403.14. We understand that the amount of the Medicare lien may change between now and the time at which it is finalized by CMS, and that any such change in the final lien amount will result in a corresponding reduction in the current net award available for distribution to us.

5. We are aware that pursuant to Va. Code § 8.01-53 we are the only individuals who are potentially able to receive a portion of the settlement in this case, and we have reached an agreement regarding distribution of the net proceeds of the settlements. Accordingly we agree that following payment of attorney fees and expenses, and enforceable liens, the remaining net proceeds should be apportioned as follows:

- | | | |
|----|-------------------------------|-----------|
| a. | To Walter Parsons: | One-Third |
| b. | To Debra P. Buchanan: | One-Third |
| c. | To Peggie Sue Parsons-Powell: | One-Third |

6. We ask that the Court approve the settlement and the distribution thereof under the terms reflected herein, subject to the payment of any valid and legally enforceable liens. Our notarized signatures below are evidence of this approval.

7. We waive notice and the opportunity to participate in any hearing conducted by the Court regarding this matter.

8. We agree that this agreement may be signed in counterparts, and is governed by Virginia law.

Debra P. Buchanan
Debra P. Buchanan

COMMONWEALTH OF VIRGINIA)

CITY/COUNTY OF HENRY CO.)

To-wit:

Subscribed and sworn to before me, the undersigned Notary Public, this 6th
day of July, 2017, by Debra P. Buchanan.

Jeel H. Barnes
Notary Public

My commission expires: 31 May 2019

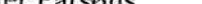
Registration No.: 149674

CITY/COUNTY OF HEWLEN CO.

Subscribed and sworn to before me, the undersigned Notary Public, this 6th

Joel H. Barner
Notary Public

Registration No.: 149674


Walter Parsons

COMMONWEALTH OF VIRGINIA)
)
CITY/COUNTY OF Henry Co.) To-wit:

Subscribed and sworn to before me, the undersigned Notary Public, this 6th
day of July, 2017, by Walter Parsons.


Notary Public

My commission expires: 31 May 2019
Registration No.: 149674.